


REMARKS/ARGUMENTS

1. Applicant takes notice that the Examiner has accepted the drawings submitted with this application.
2. **Claim status:** claims 1-4 are pending in this application. Claim 4 is hereby cancelled in this application; claims 1-3 are rejected under 35 USC §103(a) and are herein amended to traverse this rejection so that claims 1-3 are now in condition for allowance and applicant respectfully requests that a timely Notice of Allowance be issued in this application. New claims 5 and 6 have been entered into the application and are in condition for allowance for the same reasons as for claims 1-3.
3. Claims 1-3 have been further limited to the size of the cylinder and the size and spacing of the dual auger flights that has been found to result in the significant benefits shown in Fig. 6 over Fig. 5. The references and prior art do not teach the use of a dual flighted auger for the smoothing of poured concrete. Quenzi et al, which is a reference teaching the present state of the art in smoothing poured concrete, teaches away from the use of a dual flighted auger by directly teaching a single flighted auger with no mention that dual flights might be helpful. Thus, it is recognized that Quenzi et al has not discovered the important smoothing ability of a dual flighted auger such as is taught in the present invention. Christie teaches an extruder screw with dual flights. However, one of skill would not consider using an extruder screw for smoothing concrete since an extruder screw is used for compacting and liquefying plastic resin, and has process characteristics that do not relate to smoothing. An extruder screw is fully immersed within the material it moves and is fitted tightly within an extruder barrel, see Christie Figs. 2 and 3. In contrast, the present auger is used in the open and is only partially submerged within the concrete it is used to smooth. This difference in process type, utilization and objective would exclude one of skill from consideration of using extruder screw technology in concrete smoothing. Further, it can be seen in comparing Christie Fig. 1 with instant Fig. 3, that the type, size and conformation of the flights between these two screws are radically different. The extruder screw must sustain very high pressure while the concrete smoothing screw is used only for light drag-out duty. This process and configuration difference would cause one of skill to absolutely not consider an extruder screw configuration for smoothing concrete. Contrary to the Examiner's remarks, Zimmerman does not teach a screeding auger, and Christie does not teach, "...that multi-flight augers provide a more consistent and uniform mix of concrete than single flight augers." Christie does not teach any application in the field of concrete. Christie, in teaching that a double flight auger can provide a more uniform mix, teaches away from the objectives of a screeding process which is used to drag certain materials out of the poured concrete and to reposition it, so as to improve surface smoothness. It is clear that the prior art auger inventions do not show that it has been prior knowledge to apply a dual flight auger to the smoothing of poured concrete. Yet the results of such an application (Fig. 6) shows that important smoothing improvements are accomplished so that a smoother concrete surface can be obtained. A shortened process time is a second important benefit. Further distinctions between prior art augers and the present invention are flight height and spacing. The present auger

configuration is distinct and has been found to provide important improvements over the prior art.

Respectfully submitted,


Gene Scott, Reg. No.: 37,930

Patent Law & Venture Group
3140 Red Hill Avenue, Suite. 150
Costa Mesa, CA 92626-3440
Telephone: Phone: (714) 668-1900